

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

April 9, 2012

7:00 p.m.

Present: Kevin Tanski
Tom Murphy
Tony DeMarco
Colleen Gallagher
Katie Gallagher

Absent: Kathy Pucci (excused)
Ron Van Kirk (excused)

Pledge of Allegiance.

President DeMarco said he would first like to make a motion to amend the Agenda to include approval for advertising for bids for street repairs and resurfacing for 2012. **MOTION** by DeMarco, second by C.Gallagher to amend the Agenda. **VOTE RESULTED:** *Amend Agenda:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(AGENDA AMENDED)**

DISPOSAL OF MINUTES:

President DeMarco pointed out a correction on page three, the work cash, instead of case. **MOTION** by Murphy, second by Tanski to approve the minutes of March 12, 2012, as amended. **VOTE RESULTED:** *Approve as amended:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(APPROVED)**

SWEARING-IN:

Mayor Balbier administered the Oath and swore in Officer Paul Stein as Sergeant in the Brooklyn Police Department.

PUBLIC SESSION:

Rob Slattery of 4396 W. 62nd St., Cleveland. Commented on the new policy of decorum at meetings, stating he feels this is censoring the public, yet Council can say whatever they want. Feels there were false statements made in a letter from the Animal Shelter read by a Councilmember. Asked if the city pulled the lease on the Animal Shelter, or if that is false. Also asked for an update on the investigation through the county.

Lou Changeri of 8972 Trail Run, Brooklyn. Informed that April is Autism Awareness Month, and gave some statistics.

John Bundy of 9211 Torrance Ave., Brooklyn. Thanked the Mayor and Council for re-appointing him to the Parma Hospital Board of Directors for another term, which he started in 2005. He works hard to represent Brooklyn's interests. He helped bring about the imaging center at Ridge Park Square, which is a good revenue source and good employee base for Brooklyn. Informed that Brooklyn will have a health fair at the High School April 11th, and Parma Hospital will be a part of it.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Chairman DeMarco): There was no meeting due to a lack of quorum. Informed of a special Council meeting on April 2nd to consider Ord. 2012-20, for the emergency expenditure of approximately \$33,000 for completion of work on the Senior Center restrooms, which passed unanimously.

The funds are expected to be reimbursed through the Community Development Block Grant Program. The total project is roughly \$74,000 and completed by the end of April.

Recreation Board (Councilman Tanski): The next meeting will be April 16th at 6:30 p.m. in Mayor's Court.

Legislative Update/Domestic Violence/Juvenile Diversion (Councilwoman C. Gallagher): Domestic Violence Committee met March 28th to discuss the Police Department's protocol to domestic violence victims, which was presented by Sgt. Boyle. She gave information on the Department's procedures.

Bd. of Zoning Appeals (Comm. Ockington): The next meeting will be April 19th at 7 p.m. in Mayor's Court for a request from Mr. Szweda for a fence variance on Southwood; a request from Ms. Krueger for a fence variance on Heather Lane; and a request from Mr. Emery for a swimming pool location variance on Outlook Drive.

Planning Commission (Councilwoman K. Gallagher): The next meeting will be April 12th at 6 p.m. to hear a request from Signature Sign Co. to install a 76 foot illuminated sign on the building at 4650 Tiedeman; a request from Weston to install a 32 inch ground sign at 8500 Clinton; and a request on behalf of Sheetz for conditional use approval and preliminary site plan for a convenience store/car wash/fueling station at 10315 Cascade Crossings, which was tabled from the previous meeting.

Economic Development (Councilman DeMarco): Met on March 31st, and the Director is working on securing grant funds for proposed study to develop vacant land in conjunction with some business owners. Stated he is against the Sheetz proposed project. Unable to make much progress in terms of a full-time economic development director, but at the next Council meeting will introduce an ordinance to hire a part-time director of marketing to assist in locating businesses or home buying.

REPORTS OF COUNCIL:

Katie Gallagher: Passed out a newsletter to resident's homes last week, which generated questions and suggestions from residents. Thanked Dir. Verba and Mgr. McGinty for addressing a graffiti issue at Marquardt. Asked residents for their assistance in reporting problems they see to a Councilmember or City Hall. Received calls from concerned seniors about the new garbage collection containers, and informed that Dir. Verba has some on display at the Senior Center for seniors to view available sizes. There will also be an informational session prior to the new container arrival, along with a video on the website.

Kevin Tanski: A Sustainability Advisory Committee on energy consumption has been established, with a meeting scheduled for April 13th at 4:30 in the Conference Room. The members include: Service Dir. Verba; residents Tom Adamski, Gail Sutton, Russ Sternik; and Kevin Tanski. He thanked the residents for volunteering for this. Reported on updated summer job information from Youth Opportunities: 500 jobs available in Cleveland, registration deadline is April 30th at noon at www.youthopportunities.org.

Tom Murphy: Congratulated Sgt. Stein. Referred to the Brooklyn Animal Shelter letter read at the previous Council meeting, which he feels was a one-sided view of the facts and self-serving. Over four months ago the Police Dept. asked four people be charged with crimes, and nothing came of that. There was no thanks for the residents of the city for providing a facility, utilities, improvements. He asked for a response from the Prosecutor. To Mr. Slattery about his comment on the policy and asking if it was censorship, he believes it is. Stated he is opposed to the Sheetz proposal.

Colleen Gallagher: Dir. Verba presented bids for the automated rubbish truck and is excited that the city will move forward with this. She thanked him and also Council for their support. Congratulated Sgt. Stein.

Tony DeMarco: Thanked Chief Mielke for the Police Dept. annual report. Disappointed that there has been no change from Councilmembers to reconsider a roll-over of the city's short term debt, and therefore will have to pay off all of that debt around the first week of May. Feels common sense was not in the decision-making process, which will result in decreasing the General Fund by \$2,156,000 plus interest by end of summer. With the decrease in revenue of approximately \$1.1 million because of reductions in funding, impact of property revaluations in July, wondering how known capital improvements that have

been put off for a few years will be impacted. An ambulance needs to be replaced, buildings have been neglected, and doesn't know how services will be addressed without incurring some short-term debt and having financial flexibility. Also disappointed in the 5% reduction of directors, which could result in a subordinate earning more than a superior. Vows to continue to provide leadership in matters that concern well-being of residents.

MAYOR'S REPORT:

Mayor Albier: Offered condolences to the family of Rev. (Paul) Bob Folger, from Cleveland Baptist Church, and resident. The city did not pull the lease of the Animal Shelter, they left of their own accord, for their own reasons. Has not heard anything from the Prosecutor, but asked Dir. Claussen to comment in his report. Hugo Boss signed new three-year contract with Tiedeman employees, also adding jobs for a new line. Received annual reports from Cuyahoga County Board of Health and the Department of Public Works, both available for view. Read highlights from the Police Dept. annual report (19,388 calls answered, 1,177 prisoners processed, 102 felony arrests...) Also has the Fire and Building Dept. monthly reports. Repeated information for Health Fair and High School. Sent a proclamation to the county proclaiming May as MCS (multiple chemical sensitivity) Awareness and Educational Month. ODOT has two jobs scheduled for Brooklyn, a bridge over the creek by Wal-Mart, and underpass painting, both to be completed by September.

Councilman Murphy asked the Mayor when Council will vote on the Anti-Poaching Agreement. Mayor Albier said he is in favor of that, and planned to ask Council to remove the Ordinance from the table, but would like to wait until next meeting due to two Councilmembers' absence. He said more cities are joining, with approximately 28 now.

Councilwoman K.Gallagher asked the Mayor to explain to residents how we determine what streets will be done this year. And also asked Dir. Verba why she was told by Engineer Courtney that Roadman, Bentwood and Shady Lane would be added. The Mayor replied that the Service Director and City Engineer go out every year and rate the streets, with the highest (worst) rated streets that try to get done. The number of streets that get done depends on how much money is available. Right now the plans are for five streets: Morton, Beech, Glencoe east of Ridge, Traymore west of Ridge, and Brookwood. Additional streets can be added later if they can be.

DIRECTORS' REPORTS:

Rec. Mgr. McGinty:

Registration for Camp Brooklyn will be held April 19th 5-7 p.m. (residents \$250, nonresident school children \$320). Beginning June 18th, a six-week program. Contact the Rec Dept. for more information.

Service Dir. Verba:

In response to Councilwoman K.Gallagher about additional streets, a Councilmember brought to their attention the request to look at additional streets, but it was decided that it wouldn't be feasible this year, so just stay with the original plan. There are streets that are rated worse than those in question. Said if anyone wishes to volunteer for the tree planting on April 28th in lower Memorial Park to call his office at 216-635-4203.

Law Dir. Claussen:

Spoke to Prosecutor today about Brooklyn Animal Shelter, and she had contact with the APL, who is still determining whether there are charges to be brought. He also understands that the APL's and BAS' attorneys are still in discussions, with no conclusions yet. So it is still on hold. It's been handed over to the APL for their decision.

LIQUOR PERMIT:

Request for a transfer from SGY Enterprises, dba Tiedeman Marathon, to High Point Stop and Shop, dba High Point Stop and Shop, located at 4295 Tiedeman Road. Chief Mielke has no problem with this request.

MOTION by C.Gallagher, second by Tanski for a position of no objection. **VOTE RESULTED:** *No Objection:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(NO OBJECTION)**

BID REQUESTS:

From the City Engineer, a request for authorization for plan preparation and advertisement for bids for the 2012 Street Repair Project. The project will include Beech, Morton, Traymore (west of Ridge), Brookwood, and Glencoe (east of Ridge). Total estimated project cost is \$947,800. **MOTION** by C.Gallagher, second by DeMarco to authorize advertising for bids. **VOTE RESULTED:** *Authorize to advertise:* Yes: Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(APPROVED)**

From Dir. Verba, a request to advertise for bids for new roof and skylights at the Community-Senior Center. Dir. Verba informed Council he is looking into the possibility of going to the State Purchasing, in case that works out to the city's advantage. **MOTION** by C.Gallagher, second by DeMarco to authorize advertising for bids. **VOTE RESULTED:** *Authorize to advertise:* Yes: Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(APPROVED)**

BID APPROVAL:

From Dir. Verba. The bid opening for the automated side-loading rubbish packer was on March 21st with the following results: Cleveland Freightliner, Bridgeport body, with exceptions to the spec, \$244,769. Best Equipment, Labrie body, according to the spec, \$264,180. Dir. Verba's recommendation for the lowest and best bid (based upon all factors permitted by law and the completion date of the project) is the acceptance of the bid from Best Equipment. President DeMarco thanked Dir. Verba for his time, effort and research on this. He requested Council to hold this request for the next meeting when all Councilmembers are in attendance. **MOTION** by Murphy, second by C.Gallagher to accept the bid of Best Equipment in the amount of \$264,180. **VOTE RESULTED:** *Accept the bid:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(APPROVED)**

LEGISLATION:

ORDINANCE 2012-21: Authorizing the Mayor to enter into a service agreement renewal with Bailey Communications, Inc. to provide maintenance of network, software support, and other related services for the City of Brooklyn. **MOTION** by Murphy, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. *Adopt:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(ADOPTED)**

ORDINANCE 2012-22: Amending Section 1 of Ordinance 20107-47 entitled, 'Establishing the position of and providing compensation for the part-time position of Economic Development Director.' **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. *Adopt:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(ADOPTED)**

Mayor Balbier asked for an executive session for matters of personnel and to update the Council on lawsuits against the city, requesting the Finance and Law Directors attend. **MOTION** by Tanski, second by Murphy to adjourn to executive session for matters of personnel and pending litigation. **VOTE RESULTED:** *Adjourn to executive session:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(ADJOURN TO EXECUTIVE SESSION)**

The Mayor and Council adjourned to Executive Session and reconvened.

MOTION by DeMarco, second by Murphy to reconvene. **VOTE RESULTED:** *Reconvene:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(RECONVENED)**

MOTION by Murphy, second by DeMarco to adjourn. **VOTE RESULTED:** *Adjourn:* Yes: Tanski, Murphy, DeMarco, C.Gallagher, K.Gallagher. No: None. **(ADJOURNED)**

Asst. Clerk of Council

President of Council